IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.84 OF 2006

IN

SUIT NO.108 OF 2006

...

Kailash L. Chandan ...Plaintiff

v/s.

Prabhudas Hirji & Sons

and ors. ...Defendants

...

Mr.Cyrus Adreshir i/b A.N.Thakkar for the Plaintiff.

Mr.B.B.Saraf i/b Kiran jain & Co. for the Defendants Nos. 2 & 3.

...

CORAM: D.K.DESHMUKH, J.

DATED: 19TH JUNE, 2006

P.C.:

Even accepting the contention of the Plaintiff that the period of limitation is governed by Article 31 of the First Division of the Schedule to the Limitation Act, then also the substantial part of the suit claim may be barred by the law of limitation. This shows that the Defendants have substantial defence to offer. Summons for judgment is, therefore, disposed of. Defendant is granted unconditional leave to defend the suit. Suit be transferred to commercial cause list. Defendants to file written statement within a period of eight weeks from today.

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